

By G. W. H. BROWN.

east quarter section 25, township twenty-four, range two east, containing 241 and 62 hundredths acres—was purchased by Wm M. Beal, on 6th December eighteen hundred and thirty-four. Printer fee 14d.

Also; the east half south east quarter section twenty-eight, township twenty-four, range two east, containing 79 and eighty-eight hundredths acres; was purchased by A. S. Campbell & C. Dart, on 6th Dec. eighteen hundred and thirty-four. Pr fee eight dols.

Also; the west half of south east quarter, and east half south west quarter section twenty-eight, town. 24, range two east, containing 159 and 76 hundredths acres; was purchased by A. S. Campbell & C Dart, on Dec 20, 1834. Pr. fee ten dollars.

Also; the north half and west half south east q. section 32, township twenty-four, range two east, containing 477 and 30 hundredths acres: was purchased by Wm M. Beal on 6th Dec 1834. Pr fee 15d.

Also; Lot No. 16, section 6, township twenty-four, range one east, containing 32 and 35 hundredths acres was purchased by Wm H. Whitaker on Dec 4 1834. Printer fee eight dols.

Also; Lots No. 3 and 16, section eight, township 24, range one east, containing 96 and 64 hundredths acres, was purchased by Wm. H. Whitaker, on 4th December 1834. Printer fee eight dollars.

Also; Lots No. 4 and 5, section eight, township 24 range one east, containing 76 and 50 hundredths acres was purchased by Wm H. Whitaker on 4th December 1834. Printer fee eight dollars.

Also; Lots eleven, twelve and thirteen, section 8, township twenty-four, range one east, containing 117 and 93 hundredths acres; was purchased by Wm. H. Whitaker on 4th Dec 1834. Printer fee 10d.

Levied on the above described lands to satisfy the State and County Tax due thereon, as above mentioned. This 16th day of June, 1841.

JNO. H. MONTGOMERY,
Assessor & Collector
Of Tallahatchie County.

[In the presence of]

A. B. BETTS, &
E. E. ARMSTRONG.
Charleston, Miss. June 16th, 1841. 3m.

Prospectus,

For publishing in the town of Carrollton, Carroll county, Miss., a weekly paper to be entitled the

Southern Pioneer,

(BY G. W. H. BROWN.)

UNDER the above title of the "SOUTHERN PIONEER," we propose to publish in the town of Carrollton, a new Weekly Paper, devoted to Politics, both State and National, Agriculture, the current news of the day, and the advancement of the great cause of Education. This paper will be devoted to what its conductor believes to be the best interests of the State and county. It will advocate the great Whig cause which you have recently seen so signally triumphant. Believing, that the principles put forth by the great Whig party as the tenets of its political creed, are the only true ones on which this Government was originally founded, and on which it should be administered, this paper will lend to those principles, whenever and wherever espoused, its humble but cordial support.

No man or set of men, will be by us unscrupulously sustained at the expense of principle. "PRINCIPLES NOT MEN," is our motto—by this rule shall we be governed, and in subjecting all to this test, we shall as we find them, judge with impartiality, admonish with candor, and reprehend with justice. As humble Pioneers in the great cause of political truth, we shall ever point to the cardinal virtues of a representative Government. But, the interests of our State, and more particularly of our county, shall receive at our hands a constant and an earnest advocacy. While our sister counties have been the object of Legislative action, and Executive patronage, the county of Carroll has remained comparatively unknown and unappreciated. It shall therefore be our pride, as well as our duty, to develop its vast resources and point out its numerous advantages. The cause of education, the cause of enlightened and progressive civilization, the only true bulwark of a nation's freedom, shall receive that attention its importance demands. In fine, as humble Pioneers in the great crusade against ignorance and error, we shall shoulder our mattock and shovel, and taking our place in the great march of modern improvement, our course shall ever be as Marston said to Stanley,—"ONWARD."

TERMS.—The "PIONEER" will be published every Saturday morning at FIVE DOLLARS in advance, or SIX DOLLARS at the expiration of six months, or SIX DOLLARS FIFTY at the end of the year.

NO PAPER WILL BE DISCONTINUED UNTIL ALL ARREARAGES ARE PAID.

ADVERTISEMENTS inserted at the rate of ONE DOLLAR AND FIFTY CENTS per square (—) for the first, and ONE DOLLAR for each subsequent insertion. The number of insertions must be marked upon the ms. or it will be published until ordered out, and charged accordingly.

From one to ten lines constitute a square.

Articles of a personal nature, whenever admitted will be charged at double the above rates. Political circulars or public addresses, for the benefit of individual or companies, charged as advertisements.

Announcing candidates for office \$10 each.

YEARLY ADVERTISING.—For forty lines, or less, renewable at pleasure, each week, \$65.

Bills for advertising are due when the work is done, and MUST be paid whenever called for.

JOB PRINTING.

In connection with the PIONEER Office, is a large assortment of new and fashionable FANCY TYPE, which enables us to execute all orders for Job Printing in fine style. We solicit patronage in this line, at prices the same as other well regulated offices in Mississippi. Orders from Attorneys, Clerks, Sheriffs, &c., promptly attended to.

ALL JOB WORK—CASH.

* Letters or Communications to the publisher must be POST-PAID, or they will not be taken out.

Watches and Clocks

REPAIRED.

THE subscriber has settled himself permanently in Middleton, Carroll county, Mississippi, where he is prepared to execute all work entrusted to his care, with neatness and despatch.

R. T. JOHNSON.

18-16.

A Card.

T. S. & J. F. AYRES,
Attorneys at Law—Carrollton, Miss.

Their Office is the same formerly occupied by Marsh & Ayres.

January, 1, 1841

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ARROLLTON, MISSISSIPPI, SATURDAY JUNE 26, 1841.

VOL. I.—NO. 28.



For Governor,
DAVID O. SHATTUCK, of Carroll.

For Congress,
ADAM L. BINGAMAN, of Adams,
WILLIAM R. HARLEY, of Marshall.

For Secretary of State,
LEWIS G. GALLOWAY, of Holmes.

For Auditor of Public Accounts,
JAMES J. ALLEN, of Hinds,

For State Treasurer,
WILLIAM G. CRAWLEY, of Perry.

For Attorney General,
ROBERT HUGHES, of Hinds.



FROM THE TRUE ISSUE.

THE STATE BONDS, No. 2.

Until some one of the mad men who are striving to make the people of Mississippi more ridiculous than Governor McNutt has made himself, shall attempt something like a reason why the Bonds created and sold for the use and benefit of the Planters' Bank shall not be paid we will pass it by, with the belief that even madness itself will not be so much without method, as to urge any legal or moral objection to the payment of those Bonds, unless the people are willing to join agrarian Tucker in the notion "that we are unable to bear a tax, and therefore raise the hue and cry against our legal and moral obligation to pay them." This is beautiful doctrine indeed! Deny the existence of the obligation upon the plea of incapacity to discharge it! What is it that runs men into such absurdity? Is it weakness or wickedness?

But to the Union Bank. We admit on the score of policy and proper State economy such an institution as the Mississippi Union Bank ought never to have been chartered, and the making and selling of the Bonds and pledging of the faith of the State ought never to have taken place. But these things have been done, but not in derogation (as the agrarians contend) of the forms or requirements of the Constitution of this State. In our 1st No. we set out the section of the constitution pretended to have been violated by the new political faction—and that the charter passed by the Legislature and approved by Governor Lynch, on the 21st January 1837, was regularly published before the November election 1837, and the whole people, better informed as to the nature, extent and public liabilities under the charter, than ever they were upon any former subject; a new Legislature was elected with an eye more exclusively to the U. Bank than any other subject, yea, than to all the other subjects together. The Legislature met and the charter as it had passed the last Legislature and been published to, and received by the public, was again re-passed by the Legislature and approved by Governor McNutt, February 5th, 1838, without the smallest alteration; and that this was an act of the Legislature of Mississippi in strict pursuance of the forms of the constitution, and therefore the law of the land. We will notice the Supplemental Bill in its proper place.

Let us look in the first place to the powers and authority conferred, and the liabilities created by the charter of the Union Bank of Mississippi as passed by two Legislatures and approved by two Governors.

The 1st section establishes the institution by the title of "the Mississippi Union Bank," "with a capital of fifteen million five hundred thousand dollars, which said capital shall be raised by means of a loan to be obtained by the directors of the institution."

The 2d section of the charter divides the capital of 15,500,000 into shares of \$100 each, and points out the mode of publication and subscriptions for stock, &c.

The 3d section provides for the opening the books of subscription, and appoints the commissioners for each county of the State and directs their duties, &c.

The 4th section provides that citizen owners of real estate situated in Mississippi, shall be the only persons entitled to subscribe for stock in said bank.

The 5th section of the charter is the principal one under which the difficulty has occurred. It is in these words—

"Be it further enacted, That in order to facilitate the said Union Bank for the loan of fifteen million five hundred thousand dollars, the faith of this State be and is hereby pledged, both for the security of the capital and interest, and that seven thousand five hundred bonds of two thousand dollars each, to-wit:—eighteen hundred and seventy-five, payable in twelve years; eighteen hundred and seventy-five, payable in fifteen years; eighteen hundred and seventy-five, in eighteen years; and eighteen hundred and seventy-five, in twenty years, and bearing interest at the rate of five per cent per annum, shall be signed by the Governor of the State to the order of the Mississippi Union Bank, countersigned by the State Treasurer and under the seal of the State; Said Bonds to be in the following words, viz:

\$2,000,

Know all men by these presents, that the State of Mississippi acknowledges to be indebted to the Mississippi Union Bank in the sum of two thousand dollars, which sum the said State of Mississippi promises to pay in current money of the United States to the order of the President Directors and Company in the—year, with interest at the rate of five per centum, payable half yearly at the place named in the endorsement hereto, viz: on the—of every year until the payment of the said principal sum; in testimony whereof, the Governor of the State of Mississippi has signed, and the Treasurer of the State has countersigned these presents, and caused the seal of the State to be affixed thereto at Jackson, this—in the—year of our Lord."

"Sec. 6. Be it further enacted, That the said Bonds may be transferrable by the endorsement of the President and of the Cashier of said Bank to the order of any person whatsoever, or to the bearer; and the said endorsement shall fix the place the said principal and interest shall be paid—and all expenses incurred thereon shall be defrayed from the funds of the Bank."

When the Bonds were made or any portion of them, and sold, and endorsed, and delivered to the endorser as provided for in these sections, the liability of the State was fixed as security for the payment of them upon the failure of the Bank to do so—and so every sound lawyer and enlightened judicial tribunal in the Union will declare when the matter is presented to them—for the act was done in strict pursuance of the requirements of a constitutional law. But say the Agrarian's Constitutional Law! that is what we deny. Upon what ground do you deny its constitutionality? Answer 1st, say they, "the 47th section of the original act only required that the 5th section thereof should be published instead of the whole act." But we have already declared in No. 1, that the whole act was published "in all the papers of any note or circulation in the State" the requisite length of time; but every lawyer of common sense will tell you that it is not a fact enquirable into at this day. It was a thing directed to be done by some of the executive officers of the State, and therefore a proper subject for the inquiry of the Legislature of 1838; and we are now bound to presume that the fact of the publication of the act as required by the 9th section of the 9th article of the constitution was made most fully to appear to the Legislature of 1838, or they certainly would not have passed the act again on the 23rd day of January, 1838, in the House of representatives, by a vote of 53 to 32—(see House journal, page 187.) and by the Senate by a vote of 17 to 12, on the 29th day of January, 1838. [See Senate journal 1838, page 207.]

It would be a harsh construction and such an one as no court of justice in the Union could be induced to give that the action of the Legislature will be presumed to be done without authority unless every thing is shown to have been regular. This would be turning the fixed rules of the law heels upmost.—The bill under discussion did pass a second time as just shown, and we are bound to presume that the whole bill was published (if a publication of all of it was necessary,) exactly as required. No tribunal of justice will presume a Legislature to act unconstitutionally, but will presume all to be done which ought to have been done, especially when the act is that of a third person, and the duty is directory and not a substantive fact upon which the whole fabric depended. You know Agrarians, that it is not good nonsense to be talking of abstractions which are incapable of proof, and when the legal presumption is against you, how are you to prove the fact you assert, "that the original bill had not been published to the people as required by the constitution?" Can you prove a negative with the presumption of law against you? Will you attempt it by bringing up Gov. McNutt and some of the printers and publishers of newspapers in this State, and get the Governor to say he did not order the publication of the bill, and the printers to say they did not publish it; all this will prove nothing. The validity of the acts does not depend upon the order of the Legislature or the Governor, nor upon the publication of the bill in certain designated papers or periodical journals, but upon the fact that the bill had been published for three months or more before the election next succeeding the passage of the bill in three or more newspapers published in this State. The fact to be enquired into by the Legislature of 1838, was the publication of the bill in the requisite number of papers for the proper length of time, and not by whose authority and direction the publication was made surely. To inform the people of the nature and character of the pledge of their faith is the thing intended by the constitution, and to attain that end the constitution requires the publication of so much of the bill at least, as will show the general nature and character of the pledge. It is therefore the publication and not the order of any particular person to publish the bill or any part of it, or that the same has been made in any particular papers or periodicals that gives validity to it. If then you were to bring up your negative witnesses (a host of them if you please,) and we should produce consecutive numbers for more than three months before the election in November, 1837, of three or more newspapers published in Mississippi, setting out said bill accurately, do you not suppose your negatives

would be held for nothing? But we would ask the Agrarians how could such testimony be perpetuated? In the vicissitudes of human events, the Governor and his selected printers would most likely die before the final winding up of the concerns of the said Bank—and all the files and numbers of the newspapers of the day be lost or destroyed by time and accident. Where then will be found a vestige of the proof of the publication of said original bill 25 years hence, except in the legal presumption arising from the passage of the said bill a second time by the new Legislature of 1838, and the approval of that act by the Governor, 5th, February, 1838, that all had been done which the constitution required should be done before the bill should be passed into a law pledging the faith of the State?—We must presume the Legislature and the Governor acted constitutionally.

We believe we have now shown that the original charter and all the steps taken from its first introduction into the Legislature, to its final approval by Gov. McNutt, the 5th February, 1838, are in accordance with the constitution.

We will dismiss this number with a request of the Agrarians to point out even a plausible feature of unconstitutionality in the charter from its commencement up to its consummation, and to bring forth the proof to support their allegation.

We are aware that the greatest stress of the Agrarians is predicated upon the "act supplemental to an act to incorporate the subscribers to the Mississippi Union Bank," and to the consideration of that act, we will devote at least our next number.

Was drowned on board the steamboat New Orleans, on Sunday morning last a short distance above Helena, Mr. JAMES BELL, formerly a Merchant of Nashville, Tenn., and brother of the present Secretary of War.—His remains were brought to this city by Maj. Baker of Louisiana, and committed to the friends of the family of the deceased, by whom they were deposited in the grave with the usual rites of christian sepulture.

Memphis Enquirer.

THE BRITISH CORN LAWS.—One of the most important, and certainly the most interesting items of news brought by the Caladonia, is the prospect of a speedy modification, if not an entire prostration of the British Corn Laws. The New Orleans Bee has an interesting article on the subject, from which we clip the closing paragraphs.—Vicks. Whig.

It is, however, enough for us that the Corn Laws are to be touched—that these hoary monuments of despotism are at length to crumble under the assaults of an enlightened public opinion. We rejoice at it, as we gladden at the extension of liberty and the destruction of tyranny—at a blow wielded by an arm of power against the giant Privilege—at the amputation of a moiety of that vast baton of wealth and influence wielded by the landed aristocracy of Great Britain. We rejoice at it because it will open to honest industry the benefit of wholesome emulation, because it will remove from the humbler classes one barrier to their progress, while it will tend to diminish the exactions and the supremacy of those exalted by rank and opulence.

Not inconsiderable in a merely selfish point of view, will be the operation of a reform in the Corn Laws on this country. By a decrease in the restrictive duties on foreign corn, the vast granaries of our western country will, in a measure, supply with bread stuffs the famishing population of Great Britain. Though labor is higher in America—the exhaustless fertility of the soil provides returns so bountiful for the husbandman's toil, that he will be enabled to export his superfluity and vend it in Europe, at a price that may successfully compete with that of the agricultural products of the continent. The advantages gained by the proximity of those parts of Europe which cultivate bread stuffs, can be compensated by the activity, energy and industry of our American farmers. We therefore consider the proposed modification of the corn laws as a wide field opened to American industry and enterprise, one which our countrymen with characteristic promptitude will take care quickly and thoroughly to cultivate.

The following correspondence is taken from the Vicksburg Whig of the 15th inst. Truly does the correspondent speak, when he says Tucker will leave the field in disgust. A rumor has reached this place of his flight to parts unknown—determined to meet the appointments of himself and opponent no longer.

Judge Gholson gave the use of the court house from 12 to 3 o'clock on Monday and Tuesday, in order to give Messrs. Shattuck and Tucker, the opposing candidates for Governor, an opportunity of expressing their opinions and principles as well on the bond question as on all others of interest to the state.

Judge Shattuck led off the ball, and I assure

you it was a splendid effort. He spoke for about 2½ hours, and Mr. Tucker replied on Tuesday, in a speech of two hours and 40 minutes. It would have done you good to have seen old Tighman floundering and pitching about from one position to another, but at every move entangling himself in an inextricable maze of confusion. Poor fellow, he is to be pitied! and if I am not much mistaken, it will not be long before he retires in disgust—it is an up-hill business, and he can't stand it long. But to the speeches. Judge Shattuck had 20 minutes to reply to him in, and never was time used before to such advantage, and with such terrible effect. He commenced, and in ten minutes there was but little of Tucker left—in 15 minutes he could hardly be seen—in 18 he was in the perspective, and in 20 minutes he was no where, there was not even, to its vulgar saying, a "grease spot left."

The court house was crowded, and among the crowd were a large number of democrats, with many of whom I conversed, and I shall not be astonished to find Tucker off the track in three weeks. Judge Shattuck has produced the finest impression in this county, and I assure you he will make an awful inroad upon the democratic strength.

"A poet in a great quandary,
To find a rhyme for Tipperary."

Just so the Locofocos of this county are puzzled to find candidates to run as Anti-Bondmen for the Legislature—and no wonder, for it is daring indeed, for a man who has any pretension to honesty or talents, to say in the face of the world, "I for one am not willing for us to pay our just debts." We know we chartered the Union Bank—we know that under that charter the bonds were sold—we know that we received the money—we know that we promised to pay it back—we know the purchasers of the bonds expected them to be redeemed—but we do not know that we wish to redeem them. Thus they reason, and whilst in their private capacity they are willing for others to say they should not be paid. But for them publicly to come out and declare in the face of the world as high-minded honorable members of the State Legislature of Mississippi, that they will not pay back, or sanction any law which would cause to be paid back, money which was honestly and fairly sold to them, is rather more than they are yet willing to do. What citizen in this State who has pretensions to common honesty, could take an oath of this kind—"I, ——— of the county of ———, do solemnly and sincerely swear, in the presence of Almighty God, that I do not believe that the bonds of the Mississippi Union Bank should be paid." None, absolutely not one honest man in the State, would be willing to take any such oath. No wonder, then, that the loco's of this county cannot get men to suit their purposes. The Mississippian says—"There is, in our opinion, a majority of Anti-Bond payers in Hinds county, and a full Democratic Anti-Bond ticket can be elected."—Come Colonel, you know better than that, or you know at least, that a very great majority of the citizens of Hinds are not willing openly to avow so great and palpable dishonesty.—True Issue

The Memphis Enquirer says: "Hon D. O. SHATTUCK, the Whig candidate for Governor of Mississippi, spent a few days in our city in the early part of the week. The Judge made a highly favorable impression upon those who made his acquaintance. We are glad to learn from him that it is his design to enter with vigor into the canvass. By agreement, he and his competitor will visit every county in the State together.

SINGULAR.—It is stated in the Baltimore American, as a singular fact, that one of the workmen attached to the Baltimore shot tower, while passing through Howard's Park, at an early hour in the morning, heard a flock of wild geese passing over him, and looking up saw something white descending towards the ground. He took off his hat containing his handkerchief, and was thus enabled to catch, unbroken, a large goose egg, which had been sent down by one of the aerial voyagers.

The few members of Gen. Harrison's family that were remaining in Washington, departed from that place on the 19th ult. The sympathies of a nation will follow them, and soon as that nation can express its disposition through the constitutional channels, we trust the family of Gen. Harrison will receive a testimony more substantial than words.

At the present extra session, Congress will certainly charter a United States Bank.